

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 7695 of 2006()

CP..46/2006 of J.M.F.C.,PATHANAMTHITTA

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: PETITIONER/ACCUSED NO.2

AMBILY @ RADHIKA, W/O. RAVEENDRAN,
RETHI BHAVANAM VEEDU, KOCHALUM MOOD,
VALLIKKODU MURI, VALLIKKODU.

BY ADV. SRI.M.T.SURESHKUMAR
SRI.V.V.RAJA

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO.7695 OF 2006

DATED THIS THE 11th DAY OF JANUARY, 2007

O R D E R

Petitioner who is the second accused in Crime No.265/05 of Pathanamthitta Police Station for offences punishable under sections 55(g) and (h) of the Abkari Act for allegedly having been found in possession of 30 litres of wash and distilling apparatus on 8.4.2005, seeks anticipatory bail.

2. The case is pending before the J.F.C.M., Pathanamthitta as C.P.No.46/06. Admittedly, non-bailable warrants of arrest are pending against the petitioner from the committal court. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the committal court and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn